

EXHIBIT 1



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Re: *In re Geisinger System Services and Evangelical Community Hospital Healthcare Workers Antitrust Litigation*, Case No. 4:21-cv-00196-MWB

Dear Counsel:

Per the Court's order during the parties' July 21, 2023 telephonic conference this morning, Defendants Geisinger System Services ("GSS") and Evangelical Community Hospital ("Evangelical," and collectively, "defendants") request that plaintiffs: (1) identify, collect, and produce all documents¹ from all custodial and non-custodial sources and repositories (see below) responsive to defendants' May 27, 2022 First Set of Requests for Production of Documents; and (2) provide a full and substantive response to defendants' Second Set of Interrogatories to Plaintiffs, served on April 26, 2023, in accordance with Rule 26 of the Federal Rules of Civil Procedure and the parties' Stipulation and Order Concerning the Discovery of Hard Copy Documents and Electronically Stored Information (ECF No. 90).

Without limitation, defendants seek all responsive documents from the relevant period from the following custodial and non-custodial sources identified by plaintiffs Brokenshire and Leib during their depositions:

¹ "Document" is to be construed in the broadest sense under the Federal Rules of Civil Procedure and applicable local rules of the U.S. District Court for the Middle District of Pennsylvania.



- 1) **social media sources** (*i.e.*, Facebook, Snapchat, LinkedIn);
- 2) **job/career search platforms or links** (*i.e.*, Monster.com, Indeed.com, company websites, such as DaVita Inc.);
- 3) **current and historic email addresses** (*i.e.*, [REDACTED]);
- 4) **personal electronic devices**, such as iPads/tablets, mobile phones, desktop and laptop computers, including from mobile software applications (*i.e.*, the AOL Mobile Mail app linked to plaintiff Leib's Verizon email and the Hotmail mobile app on plaintiff Brokenshire's phone), text messages and voicemails (including from phone numbers [REDACTED], and plaintiff Brokenshire's prior cell phone (Brokenshire Tr. 184:19-22)), and images or photographs on those devices; and
- 5) **hard-copy documents**, including mailers sent to plaintiffs' residences (see below).

Defendants also request that plaintiffs produce the following documents discussed during plaintiffs' depositions:

- 1) **For Plaintiff Leib:** (i) 2021 LinkedIn post/communication regarding this litigation (Leib Tr. 98:13-99:17); (ii) all documents located in plaintiff Leib's custodial and non-custodial sources related to her employment with GSS and Evangelical since 2010, including without limitation, job applications, interview schedules, and offer letters (*id.* at 48:12-49:1, 52:20-53:1); and (iii) all communications with any current or former plaintiffs, including plaintiff Brokenshire, or other witnesses during the alleged conspiracy period.
- 2) **For Plaintiff Brokenshire:** (i) all documents reviewed by plaintiff Brokenshire with counsel in preparation for his deposition (Brokenshire Tr. 13:6-8, 17:22-18:2, 19:16-19); (ii) copies of all mailers sent to plaintiff Brokenshire's residences relating to employment opportunities, including for travel nurse positions (*id.* at 145:23-146:13, 148:16-149:4); (iii) all documents, including and relating to communications plaintiff Brokenshire had with the Pennsylvania State Board of Nursing, including documents relating to his nursing license renewal and expiration (*id.* at 92:6-93:4, 93:11-97:11); (iv) all communications with any current or former plaintiffs, including plaintiff Leib, or witnesses in this case during the alleged conspiracy period; and (v) all documents related to plaintiff Brokenshire's employment, recruiter outreach, compensation, bonuses, and other benefits.

Please produce all such outstanding discovery by **August 11, 2023**, along with a privilege log identifying all documents withheld, and the grounds on which they are being withheld, in accordance with the parties' ESI Protocol and Federal Rules.



Sincerely,

/s/Rosa M. Morales

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cc: *All counsel of record*